

Report to Congress on Separated Children



ADMINISTRATION FOR
CHILDREN & FAMILIES

The Department of Health and Human Services (HHS) submits this report to Congress pursuant to the following language included in the Department of Health and Human Services Emergency Supplemental Appropriations Act, 2019. This report includes information about separated children that is not included in previous reports written to satisfy reporting requirements request by the Conference Report 115-952, which accompanied the Department of Health and Human Services Appropriations Act, 2019. This report will be publically available online shortly, as requested.

Sec. 408. Not later than 14 days after the date of enactment of this Act, and monthly thereafter, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, and make publicly available online, a report with respect to children who were separated from their parents or legal guardians by the Department of Homeland Security (DHS) (regardless of whether or not such separation was pursuant to an option selected by the children, parents, or guardians), subsequently classified as unaccompanied alien children, and transferred to the care and custody of ORR during the previous month. Each report shall contain the following information:

(1) the number and ages of children so separated subsequent to apprehension at or between ports of entry, to be reported by sector where separation occurred; and

(2) the documented cause of separation, as reported by DHS when each child was referred.

The Department of Homeland Security (DHS) provides a weekly list of new separations to the Office of Refugee Resettlement (ORR). Simultaneously, ORR prepares its own list of new separations based on ORR separations data and appends the DHS list to form a combined list of new separations. ORR and DHS conduct weekly concurrent reviews of these new separations and any separations confirmed by both ORR and DHS are added to the confirmed new separations master list. In cases where there is no concurrence between ORR and DHS or more information is needed to confirm a separation, ORR will work with field staff to reconcile discrepancies until a final determination of separation/not separation is reached. Due to this process, the data usually lags by two weeks. The purpose of this reconciliation is to make sure that ORR has an accurate list of all children that DHS has separated and referred to ORR for care.

The tables below reflects data for minors referred¹ to ORR during the month of May 2019.

¹ ORR does not consistently receive apprehension date information from CBP and ICE when referring UACs to its ORR care. As a result, because it is a more reliable source of data, ORR used referral dates to generate the information provided in this report.

Table 1 Children Separated by DHS by Cause of Separation and Age

General Reason Separated (as provided by DHS)²	(0-5)	(6 -12)	(13-14)	(15-16)	17	Grand Total
Parent criminal history and immigration history	26	23	7	12	6	74
Parent criminal history	3	7	1	6	0	17
Other ³	1	0	1	0	2	4
Other-Warrant ⁴	0	1	1	2	0	4
Referred for prosecution	2	0	1	1	0	4
Parent cartel/gang affiliation	2	1	0	0	0	3
Unverified Familial Relationship/ Fraud	0	2	0	1	0	3
Parent cartel/gang affiliation and immigration history	0	2	0	0	0	2
Parent fitness (other than for hospitalization)/child danger concerns	0	0	1	1	0	2
Separated from Other Adult Relative ⁵	0	0	0	2	0	2
Grand Total	34	36	12	25	8	115⁶

Table 2 Referring Sectors of Separated UACs by Age Group

Referring Sector	(0-5)	(6-12)	(13-14)	(15-16)	17	Grand Total
Harlingen (SNA)	19	16	4	12	2	53
El Paso (ELP)	7	11	2	7	3	30
Phoenix, AZ (PHO)	4	7	4	5	2	22
Laredo (LRD)	2	2	0	0	0	4
San Antonio (SNA)	1	0	0	1	1	3

² Categories in Table 1 are the permissible reasons for separation as agreed upon between DHS, HHS and ACLU, and are excluded from Ms. L class.

³ "Other" is defined as a reason for separation that is based on sensitive law enforcement information. ORR is not allowed to receive this information unless authorized by the court or legal counsel.

⁴ "Other – Warrant" is defined as the parent has an active warrant for his/her arrest in either home country or U.S.

⁵ "Separated from Other Adult Relative" is defined as an initial separation by CBP misidentifying the parent as another adult relative, but after further review, confirmed the adult is a parent, and it was parent separation.

⁶115 is the confirmed number of separations for the entire month of May. Previous reporting only reflected partial list of separations for the May because some separations may have not been confirmed at the time of reporting.

Referring Sector	(0-5)	(6-12)	(13-14)	(15-16)	17	Grand Total
San Diego (SND)	0	0	2	0	0	2
Del Rio (DRO)	1	0	0	0	0	1
Grand Total	34	36	12	25	8	115

***Note: In some cases, final determinations on separation status reported during weekly data reconciliation require further review. As a result, data on separations is subject to change.